

GO # OPS-058
CONDUCTED ELECTRICAL WEAPON

EFFECTIVE DATE: 04/07/2010
REVISION DATE: 10/05/10
04/01/11
12/27/12
06/16/14
02/04/16
02/05/18

PURPOSE:

The purpose of this General Order is to establish policy and practices which govern the utilization of department issued Conducted Electrical Weapon (CEW) as a use of force option which is issued in the form of a TASER. CEWs are considered a non-lethal use of force.

POLICY:

The Savannah Police Department (SPD) will employ an electronic control device as an additional force option in order to temporarily incapacitate and permit control over a violent or potentially violent individual, or an individual demonstrating the intent to harm him/her or others.

The CEW may be used when a subject is displaying active resistance, or assaultive behavior to an officer attempting to conduct legal law enforcement activities. Deployment of the CEW will be evaluated using the criteria in the directive and within the framework of the Savannah Police Department Use of Force policy. Officers must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed. The decision to use the CEW will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.

Conducted electrical weapons will only be used in accordance with this policy and approved training. It will never be used recklessly or as torture, or punitively. The actual use of a CEW will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.

DEFINITION:

CEW: Is a hand held battery operated unit designed to use electrical impulses similar to those in the human body's nervous system to cause stimulation of the sensory and motor nerves. Neuromuscular Incapacitation (NMI) occurs when a Taser is able to cause involuntary stimulation of both the sensory nerves and the motor nerves to render a subject temporarily unable to control movement. It is not dependent on pain and can be effective on people with a high level of pain tolerance.

Deployment: The activation of a Taser resulting in the discharge of an electrical charge combined with the application of the Taser in the form of a drive stun, three-point deployment, or a probe deployment, whether or not the probes strike the intended target or whether an electrical circuit is complete; including any activation of the Taser resulting in a subject receiving an electrical charge from a Taser, or an ARC Display. The mere display of a Taser or “painting of a subject with the CEWs laser” is not a deployment.

Contact Deployment/Drive Stun: When the front electrodes on the Taser, or an expended cartridge attached to the front of the Taser are brought into immediate, direct, or close proximity, contact with a subject’s body, or clothing. Drive Stun causes localized discomfort in the area contacted by the Taser but does not incapacitate a subject through NMI.

Three-point Deployment: When the front electrodes on the Taser, or an expended cartridge attached to the front of the Taser are utilized in drive-stun mode, after it has been probe deployed, to supplement the probe mode in order to complete the electrical circuit in an attempt to increase the effect or likelihood of NMI.

Probe Deployment: Utilized compressed nitrogen gas to propel two (2) darts on wires from a cartridge. If sufficient contact is made with the subject it will complete an electrical circuit to attempt to achieve Neuromuscular Incapacitation (NMI) in the subject.

Arc-Display: The activation of a Taser with the cartridge removed or with an expended cartridge resulting in the electrical arcing across the front electrodes.

I. AUTHORIZED DEVICE

- A. TASER X2 distributed by TASER International. (CALEA 1.3.9)

II. AUTHORIZED USERS

- A. Only officers who have received and successfully completed the required departmental CEW training taught by a certified instructor are authorized to carry and employ a CEW. (CALEA 1.3.10)
 - 1. All officers issued a CEW must complete the annual recertification training. Failure to do so will require you to return the CEW to the Training Unit.
- B. All Officers issued the CEW must also have been issue a body worn camera system.
 - 1. Whenever you are wearing the CEW during duty hours and in uniform you must also be wearing your body worn camera. This includes while working in an extra duty capacity.
 - a. Whenever you intend to deploy the CEW you must ensure that you have activated your body worn camera.
- C. Electronic Control Devices will primarily be distributed throughout the SPD Patrol Bureau.

III. DEVICE READINESS

- A. The TASER X2 will be inspected and arc tested prior to each tour of duty. This test will be done in a weapons clearing barrel.

- B. Uniformed officers will carry the CEW in a department issued holster. The holster will be carried on the duty belt, on the side opposite the duty firearm, cross draw position is not optional. Non-Uniformed officers will carry the CEW in an approved holster on the side opposite the duty firearm.
- C. The CEW shall be carried fully armed (2 live cartridges) with the safety on in preparation for immediate use.
- D. Officers should never hold both a firearm and the CEW at the same time.
- E. After any deployment the officer shall make contact with the CEW Coordinator (with the Training Unit) to obtain a new cartridge.
 - 1. The device will be downloaded prior to putting the CEW back into service.
- F. Only agency approved/issued battery power sources will be used in the CEW.

IV. DEPLOYMENT

- A. The CEW may only be used under the following circumstances:
 - 1. To overcome active resistance or assaultive behavior or its threat;
 - 2. To subdue persons in order to prevent them from harming themselves or others.
- B. A supervisor will be summoned immediately after the use of a CEW.
- C. Use of the CEW under the following circumstances is prohibited, **unless exigent circumstances are present** (exigent circumstances will be clearly be articulated within the police report):
 - 1. Against handcuffed or physically restrained subjects unless doing so is necessary to prevent them from causing serious physical injury to themselves or others;
 - 2. Against subjects fleeing on foot;
 - 3. At or from a moving vehicle;
 - 4. Against a subject holding a firearm;
 - 5. Against subjects known to be or reported to be pregnant;
 - 6. Against children under 14 years of age and/or weighing less than 90 pounds;
 - 7. Against subjects who are visibly elderly or physically disabled and/or suffering from a known debilitating illness;
 - 8. Against subjects with known neuromuscular disorders such as a muscular sclerosis, muscular dystrophy or epilepsy;
 - 9. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or civilians;
- D. The CEW will not be used under the following circumstances:
 - 1. Punitively;

2. To escort or prod subjects;
 3. To awaken unconscious or intoxicated subjects;
 4. Against subjects who are offering only passive resistance;
 5. When the officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere;
 6. When the location presents the officer with a reasonable belief that the subject will sustain serious injury or death if the subject falls to the ground as a result of the Taser deployment. Examples include, but not limited to: slanted roofs, ledges of tall buildings, tall fences, bridges/overpasses, crossing a moving lane of traffic, or deep water.
- E. In preparation of firing, when reasonable, the CEW shall be pointed in a safe direction, taken off safe and then aimed.
- F. Below the neck of the subject's back is the primary aiming point and just below center mass of the chest or legs are the secondary targets;
- G. Prior to use, when practical, a warning to the subject and other officers should be given;
1. Provide the individual with a reasonable opportunity to voluntarily comply.
 2. Provide other officers and individuals with a warning that the CEW may be deployed.
- H. Fixed sights should be used as the primary aiming device and the laser dots as the secondary aiming device;
- I. CEW probes may not be intentionally fired at the face, head, neck or groin, unless the use of deadly force would be justified;
- J. Use of the "Drive Stun" is prohibited without the cartridge except when exigent circumstances are present. The exigent circumstances must clearly be stated in the report.
- K. The use of an "angle stun" is acceptable in situations where the "probe" deployment is ineffective. If a subsequent application is ineffective, officers will reassess the situation and consider other available options.
- L. The CEW shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
1. During routine inspection a clearing barrel will be used, when available.

V. TARGET DEPLOYMENT

- A. The Officer shall, if practical, give a loud distinct verbal command/warning to the subject that the Taser will be deployed if the subject does not cease his/her combative behavior and/or comply with the officer's commands. When practical the officer shall delay deployment of the Taser for a reasonable time to allow the subject to

- become compliant. The verbal warning may include Taser display, laser painting, and/or ARC display.
- B. When the Taser is going to be deployed the officer should point the laser sight at the subject before firing, and announce in a loud distinct voice “Taser, Taser” to provide other officers with a warning that the Taser is about to be deployed and give notification to the subject of imminent discharge.
 - C. When it is necessary for an officer to deploy a Taser on a subject, the officer should use the Taser for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary. Officers should consider if the subject has had a reasonable amount of time to comply with commands. Officers should consider the risks of prolonged or repeated Taser exposure may increase the risk of serious injury or death. Any subsequent applications should be independently justifiable and the risks weighed against other available force options.
 - D. Following a Taser deployment, officers should attempt to use a restraint or stabilization technique that does not impair the subject’s respiration.
 - E. The officer must notify any personnel, outside agency, and/or jail facility taking custody of a subject that has received a Taser deployment that the subject has been exposed to a Taser.

VI. REPORTING USE OF THE CEW

- A. A Police Response to Aggression/Resistance/Force (PRAR) report is not necessary if there is only a **displaying** of the CEW. Displaying of a CEW should be noted or referenced in the incident report for statistical purposes and as an evaluation tool for effectiveness as a deterrence of towards escalating behavior.
- B. A PRAR report shall be completed when the CEW is removed from the holster and deployed in such a manner as to control the subject.
- C. The use of force report shall contain at a minimum:
 - 1. The officer’s approximation of the range at which the unit was employed.
 - 2. The point(s) of impact on the subject;
 - 3. The number of five-second cycles used;
 - 4. The type of clothing the probes encountered;
 - 5. The type of discharge (probe, drive stun, or both);
 - 6. Evaluation of the effectiveness of the device;
 - 7. After-discharge actions taken by the officers;
 - 8. The fact that a verbal and/or other warning was given, or reasons it was not given, shall be documented by the officer deploying the CEW.
 - 9. Any injuries that the officer is aware suffered by the subject as a result of the use of the device;

When the CEW has been used operationally, a forensics officer will be requested for the purpose of collecting the air cartridge, wires leads, and darts. When a forensic officer is unavailable the air cartridge, wires leads, and darts will be collected and logged into evidence by an officer not involved in the Taser deployment.

- D. Unintentional discharge will be reported to a supervisor and will be treated the same as the unintentional discharge of a firearm.
- E. The Training Unit shall:
 - 1. Download the data record of each CEW annually regardless of reported use.
 - a. This will be done during the annual recertification training.
 - 2. Prepare a semi-annual and annual report of the CEW use, which will be forwarded to the Chief of Police.
 - 3. The downloaded data shall be tabulated and a summary prepared for inclusion in the department annual use of force report.

VII. NEGLIGENT DISCHARGES

- A. Negligent discharges are defined as accidentally firing the device without meaning to do so either during spark tests, or while handling the device.
- B. Negligent discharges will be reported immediately and documented on the TASER form unless a person is struck in which case a full report will be completed.
- C. All protocol will be followed except for the spent cartridge, which will be delivered to the CEW Coordinator (with the Training Unit), to be issued a new cartridge as soon as possible and before the device is put back into service.
- D. The following actions will be taken relative to negligent discharges:
 - 1. First offense - Recommendation of a minimum of a Counseling Form and pay for replacement cartridge.
 - 2. Second Offense – Recommendation of a minimum of Written Reprimand and pay for replacement cartridge. The officer's supervisor will complete a written evaluation on the officer's TASER abilities with recommendations.
 - 3. Third Offense – a minimum of the loss of the use of a TASER and pay for the replacement cartridge. The Board will make a consensus recommendation on disciplinary action.

VIII. AFTER CARE (CALEA 1.3.5)

- A. If the probes are embedded in non-sensitive areas, a trained CEW officer may remove them.
- B. Emergency Medical Personnel will be summoned as a cold call, for cardiac evaluation in order to assess the subject's vital signs and overall medical conditions.
- C. If the person refuses medical treatment on scene they will be transported to an emergency room in a police vehicle where they will be offered medical care a second time. There is no obligation to force a person to receive any medical care.

1. All attempts to provide medical care will be documented in the police report.
- D. If the TASER probes have penetrated the skin in a sensitive area (head, neck, groin, or breast of a female), or CEW officers have difficulty removing the probes (i.e. probe / barb separation) the subject will be conveyed to an emergency medical center for removal.
- E. After the TASER device is used, probes should be removed from the subject as soon as the subject is handcuffed:

IX. CEW ACCOUNTABILITY

- A. When an officer retires or terminates employment with SPD he/she will turn the CEW into the CEW Coordinator or designee (with the Training Unit) prior to out processing.
- B. When an officer that is issued an CEW is transferred from the Patrol Division (uniformed assignment) to a non-uniformed assignment or another Division he/she will turn the CEW into the CEW Coordinator or designee (with the Training Unit) prior to or immediately after reporting to the new assignment

This General Order supersedes all written directives issued prior to 02/05/2018, pursuant to Electronic Control Devices.

BY ORDER OF:

Original Signature on File

**Mark Revenew
Interim Chief of Police**